

**California Department of Transportation  
Native American Advisory Committee  
Quarterly Meeting Minutes  
January 14, 2004**

Chairman Joseph Myers called the meeting to order at 9:05 a.m.

Welcome: Chairman Myers welcomed everyone to the meeting.

**Roll Call:** Committee members in attendance were Barbara Burke, Brad Cass, Samuel Elizondo, Joe Garcia, Joseph Garcia, Sr., Mervin Hess, Ken King, Jr., Joe Loya, Meyo Marrufo, Martin Martinez, Joseph A. Myers, Dave Nenna, Patricia Ockert, Lorenda Sanchez, and Kathy Wallace. The Director's representative, Joan Sollenberger, Division Chief, Division of Transportation Planning, and Sharon Scherzinger, Chief, Office of Regional and Interagency Planning were also in attendance.

**Others in attendance included:** Sherry Johnstone, Title VI Coordinator; Alex Morales, Civil Rights; Tina Biorn, Environmental Analysis Division; Cassandra Hensher, Self; Doug Sibley, District 4 Native American Liaison; Jila Priebe, Native American Liaison; Kathleen Sartorius, District 2 Native American Liaison; Brian Travis, District 2; Kathleen McClafin, District 10; Mario Orso, Native American Liaison, District 11; Brain Abbanat, District 1; and Stan Anderson, Tuolumne Band of Mewuk.

**Adopt Agenda:** The Agenda was accepted by the Committee.

**Approve Minutes:** Ms. Cassandra Hensher asked for a correction of the November 5, 2003, minutes. She mentioned that under the "Attendee's" section of the minutes she was identified as a member of the California Indian Basketweavers Association (CIBA). Even though, she is a member of CIBA, and a Caltrans's employee, she attends the NAAC meetings only representing herself.

The Minutes of the November 5, 2003 meeting were approved with noted corrections. Motion by Joseph Myers; seconded by Patricia Ockert.

Chairman Myers asked the Committee to consider adding one more member to the NAAC members. He stated that Mr. Dave Nenna has been a long-term member of the NAAC (since 1994.) Mr. Nenna has contributed to both the vision and direction of the NAAC. Unfortunately, due to no parties' fault his nomination sheet was not included in the final selection for the upcoming term. He stated this was a special case and if there were no objections from the Committee, Mr. Nenna be re-elected for the 2004-05 term. The Committee supported the recommendation and re-elected Mr. Nenna for the 2004-05 term.

Motion for selection of Mr. Nenna was called by Mr. Joe Loya and seconded by Patricia Ockert. Voted, 15 Yes, 0 Against.

## **OLD BUSINESS:**

**Overview of the Department's Organizational Structure** Joan Sollenberger gave a brief summary of both the Department's organizational structure, and the history of NAAC. She mentioned that the role of the NAAC is to advise the Department's Director on various tribal transportation issues. She emphasized the Department's commitment in establishing a Government-to-Government relationship with the Tribal Governments in California. She stated that the Department has a policy regarding, "Working with Native American Communities." Joan acknowledged Cynthia Gomez's work in the development of the policy. Joan gave an overview of the State's Divisions and Departments, noting that Caltrans is one of twelve Departments under the Business, Transportation and Housing Agency. The Department's mission is very simple "Caltrans Improves Mobility Across California." The Department is committed to implementing its Policy.

1. **Overview of State Planning & Programming Processes** Sharon Scherzinger gave an overview of the State Planning & Programming (funding) Process. She emphasized how Tribes can be involved in the process. She mentioned that all planning processes start with a twenty-year plan, and that the Department is required by both federal and state statutes to develop a comprehensive long range plan. Both Regional Transportation Agencies (RTPA) and Metropolitan Organizations (MPO) have the same requirements. Sharon also explained the different planning documents necessary in securing funding for projects.

Jila Priebe mentioned a two-day training for Tribal representatives and their staff on State transportation planning and programming. The schedule for the upcoming Tribal Transportation Academy is on the January 14<sup>th</sup> Agenda.

2. **Introduction of New Members, and Selection for Vice Chairperson, & Secretary** Chairman Myers announced the vacancies for Vice Chairperson and Secretary. The Committee nominated and elected Mr. Dave Nenna for Vice Chairperson, and Mr. Michael Holman for Secretary.

A Motion was called by Mr. Hess and seconded by Joe Loya. 15 Yes, 0 Against.

3. **Legislative Subcommittee Report** Jila Priebe reported on two proposed State Assembly Bills, AB 392 and AB 393 introduced by Montanez. AB 392 codifies a policy within the Department of Transportation to provide \$6 million per year in funding to be divided between the Community Based Transportation Planning (CBTP) and Environmental Justice (EJ) Grant Programs. These grants can be used for identifying and addressing transportation needs for communities, identifying and involving underrepresented groups in planning and project development, planning and safety improvements for pedestrians and bicycles, and a few other related categories. Eligible applicants are: Local Governments; Metropolitan Planning Organizations (MPO's), Regional Transportation Planning Agencies (RTPA's), Native American Tribal Governments, Community Based Organizations (CBO's), etc. Copies of the bills were included in the Committee members' packets.

AB 393 establishes the California Urban Historical Preservation Revolving Loan Fund (fund) under the administration of the California Cultural and Historical Endowment to the extent that funding is available, and funds can be borrowed (provides loan) to be used to encourage the development of a systematic and coordinated assemblage of buildings, sites, artifacts, and

museums. However, it limits eligibility for loans to heavily urbanized cities with 200,000 in population or a county with a population of over 700,000.

Jila mentioned that copies of proposed federal legislations that impact Tribes are included in their packet. Important legislations that specifically impact Tribal transportation are S. 621 and S. 725.

4. **Highway Landscaping Subcommittee** Cassendra Hensher gave an overview of how the Landscape Subcommittee was created and reported on the last Subcommittee's meeting. The Subcommittee met on November 6, 2003. Currently, the Subcommittee is working on an informational packet that can be used by anyone. The informational packet will have the names of landscape architects, maintenance staff, and will also include flow charts of how some of the processes work, etc. The next meeting is January 15, 2004.

**Environmental Subcommittee Report** Jila Priebe gave an overview of the purpose of the Environmental Subcommittee. She mentioned that the Subcommittee was created under the Direction of the NAAC. The Subcommittee's primary focus is for the protection of Cultural Resources. Last year the Environmental Subcommittee focused its efforts on developing a written policy regarding "Native American Monitors" on Department projects. The final draft of the memo/policy was sent to the Department's Environmental Division for management's review and comments. The memo/policy was revised, finalized, and signed by the Deputy Director of the Environmental Division on November 4, 2004. Currently, the memo and a background information sheet are posted on the Department's Environmental Program website.

Jila acknowledged Ms. Tina Biorn for her work and assistance throughout the development of the memo/policy, and also for her work with the Subcommittee. The Subcommittee is currently working on the development of a memo to accompany the "Native American Monitor" memo/policy. This memo will focus on distinguishing between Government-to-Government Consultation and Section 106 Consultation. The intent of the memo will be to ensure that monitors and monitoring will not take the place of Government-to-Government Consultation.

## **NEW BUSINESS:**

1. **Report on the Transportation Economic Development Study** Jila announced that Mr. Kazem Attaran, Chief, Office of Transportation Economics, was unable to attend today's meeting due to illness. However, he would be willing to give his presentation at the next meeting. The Committee requested Mr. Attaran give his presentation at the May 5<sup>th</sup> meeting.
2. **Environmental Justice Grant** Norman Dong, Environmental Justice Coordinator, reported on the recently awarded Environmental Justice Grants (EJ). He reported that 2002-03 cycles grants were awarded and three tribes were among the awardees: the Yurok, Hoopa, and Tuolumne Tribes. Since these funds are used for non-capital projects, a Master Fund Agreement has been developed, reviewed and accepted by the Department's Legal Division. The agreement is used as a mechanism to transfer the funds to the Tribes. The EJ grants can be used to help Tribes in developing their transportation plans or other planning studies. Norman also mentioned his office has developed an EJ guideline. The guideline can be found on the Department's website, or he could send a hard copy if anyone requests one. He also mentioned that his office is working on developing and conducting a series of Environmental Justice workshops. He'll announce those workshops as they become finalized.

Joe Loya mentioned that Regional Transportation Agencies in southern California are still not including and consulting with the Tribal Governments in their region. Mario Orso, Native American Liaison for District 11, mentioned that Tribal Governments were included in the borders study section of the San Diego Association of Governments (SANDAG) long-range plan.

Martin Martinez asked if we could make a film or video that can be used for training. The film could include a short introduction as to what the Tribes do, who they are, and what the Tribes are all about.

Joan Sollenberger shared that the Department is always looking at ways to communicate, and although there are cutbacks, capabilities to create videos are something the Department might still be able to do.

**Environmental Justice Video** - This is a good video and will soon be presented to the NAAC Committee.

### **3. Acknowledgements:**

**Ms. Lorenda Sanchez's Daughter** - Chairman Myers acknowledged Ms. Lorenda Sanchez's daughter for her academic and athletic achievements, and noted that she is an accomplished student at the University of California at Berkeley. Ms. Sanchez's daughter wants to set a role model for other Indian students, and encourages others to succeed as well.

**Youth group from the Yurok Tribe** – Kathleen Sartorius mentioned that a District 1 Newsletter published a story of a youth group who helped with the prevention of “tagging” on road signs. The youth group from the Yurok Tribe painted basket designs on the backs of the road signs, and also on bridges, and there has been no vandalism in the last 5 years.

**Redwoods Marathon** – Started in 1927 and run again in 1928 to promote travel along the new Redwood Highway (101), the Marathon spanned 480 miles from San Francisco to Grants Pass, Oregon. Efforts are presently being made to recreate the Marathon by encouraging running teams of youth from 15 high schools in various cities to run short segments of this historical marathon. The National Indian Justice Center plans to sponsor another marathon in 2005.

**Peace and Dignity Run** – Peace and Dignity Run for Indigenous Peoples will start on April 18<sup>th</sup>.

**American Indian Charter School** – Doug Sibley said that this “Top 10” school has 150 students, and is having outstanding results.

### **Adjournment:**

Motion made by Mervin Hess and seconded by Martin Martinez.

**Next meeting is May 5<sup>th</sup>**

